

**REMARKS/ARGUMENTS**

In view of the amendments and remarks herein, favorable reconsideration and allowance of this application are respectfully requested. By this Amendments, certain of the claims have been amended to avoid means-plus-function limitations. Claims 8-17, 25-34, 42-51 and 54 are pending for further examination, and Applicant hereby confirms the election of Group II in the restriction requirement.

Claims 8, 11-12, 14, 25, 28-29, 31, 42, 45-46, 48 and 54 have been rejected under 35 USC 102(e) as being anticipated by Ballard. Claims 9, 26 and 43 have been rejected under 35 USC 103 as being obvious over Ballard. In addition, claims 10, 15-16, 27, 32-33, 44, and 49-50 have been rejected as being obvious over Ballard in view of Gupta. Claims 13, 30 and 47 have been rejected as being obvious over Ballard and Matsumoto. Finally, claims 17, 34 and 51 have been rejected under 35 USC 103 as being obvious over Ballard, Gupta and Matsumoto.

For at least the following reasons, Applicant respectfully submits that the pending claims are not anticipated or rendered obvious by the cited references, whether considered alone or in combination. Thus, reconsideration and withdrawal of the rejections are respectfully requested.

Ballard, the primary reference cited by the Examiner, does not support the rejection. The advertising system of Ballard is directed to providing an advertisement server that presents advertisements to individual users, based on posting advertisements according to target information of each user that has obtained access to a server. In

contrast, the invention defined by the presently pending claims is directed to posting advertisements based on the current access status with respect to a server for the purpose of enabling an advertisement to be viewed by a plurality of client computers. The current access status may be, for example, whether access by unspecified number of users towards the server is frequent or not (e.g., based on the data representing the current status stored in the conference hall information: the data of the number of presented messages, the number of times a message is referred to and the number of participants in the conference (see specification, page 16, lines 3-8)). Thus, the instant claims are not directed to delivering ads to individual users based on specific demographics for the individual user. Instead, the claims are directed to a server level ad delivery system that uses information on access to the server by a plurality of client computers to determine if a predetermined access condition is satisfied prior to inserting an advertisement in the server for viewing by a plurality of client computers. Thus, unlike the teachings of Ballard, the system defined by the instant claims does not use individual demographics or the like when deciding when to serve particular ads. Instead, access status to the server is detected and used to determine how the ads should be inserted at the server level for viewing by numerous client computers. Thus, Ballard does not teach or suggest the invention defined by the pending claims.

By providing server information in real time for the advertiser, the claimed invention enables advertisements reflecting the current status of the server to be posted. Furthermore, the advertising fee can be modified dynamically based on the current status

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of the server. Neither Ballard, nor any of the other cited references, including Gupta and Matsumoto teach or suggest the feature of using access status to a server as a parameter for selecting ads for insertion to a server for viewing by a plurality of client computers.

In view of the above, Applicant respectfully submits that the current rejections are not supported by the actual teachings of the cited references. Moreover, Applicant believes that the pending claims are allowable over the cited references. Thus, withdrawal of the rejections and allowance of this application are earnestly solicited.

Should the Examiner have any questions, or deem that any formal matters need to be addressed, the Examiner is invited to call the undersigned attorney at the phone number below.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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